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C O N F I D E N T I A L SECTION 01 OF 07 USNATO 000445

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E.O. 12958: DECL: 08/06/2017

TAGS: [PREL](#) [PARM](#) [KCFE](#) [NATO](#) [RS](#) [OSCE](#)

SUBJECT: NATO/HLTF MEETING, JULY 26 2007 - THE WAY AHEAD

REF: (A) STATE 103522 (GUIDANCE) (B) USNATO 433  
(NRC/CFE)

Classified By: Classified by U.S. HLTF Deputy Representative Jennifer L aurendeau for reasons 1.4 (b and d)

11. (C) Summary. The July 26 HLTF focused on discussion of what the Allies, game plan should be for achieving key CFE and related policy goals in the period prior to December 12, when Russia,s threat to suspend implementation of CFE would become operational. U.S. HLTF Deputy Jennifer Laurendeau (serving as Head of Delegation in place of DAS Karin Look) outlined in broad terms a concept for ending the deadlock with Russia on fulfillment of Istanbul commitments and ratification of Adapted CFE via a plan for parallel, reciprocal actions by both NATO and Russia. She stressed that any game plan for moving beyond the current deadlock would need to be agreed and implemented as a unified Alliance position. Several Allies offered initial reactions, and most were positive.

-- Most Allies who spoke expressed support for the U.S. "action for action" approach as a concrete and creative concept for moving forward, though some (Canada, Czech Republic, Romania) were uneasy that this could compromise NATO,s longstanding support for the right of Georgia and Moldova to choose whether to allow foreign forces on their territory.

-- Many Allies questioned Russia,s goals, arguing it was not clear that Russia was serious about saving the CFE Treaty. Thus, they said, there was a risk inherent in the U.S. concept, that NATO would find itself in the position of having taken steps on ratification, while Russia took no further action on the Istanbul commitments. None disagreed with the U.S. rejoinder that regardless of what Russia,s intentions might be, NATO,s interest lay in trying to find a way forward that had the potential to preserve the benefits of the CFE regime and secure implementation of remaining Istanbul commitments.

-- Allies and the NATO International Staff (I.S.) welcomed the opportunity to comment on the U.S. ideas before they were broached with Russian authorities, asked for a readout of the U.S. meeting with DFM Kislayk, and expressed the hope that details of the U.S. approach would be provided on paper for review in capitals.

12. (C) Other issues. In a tour de table on the Russian notification of July 14 regarding its intention to suspend CFE implementation in December, most Allies said they viewed the current situation as primarily political requiring engagement through dialogue, rather than legal steps. Many

endorsed a UK idea to explore NATO,s legal position and options in the event Russia suspends on 12 December. Turkey reported that in a bilateral exchange, Ukraine said Moscow was pressuring them to support elimination of the flank regime (Ukraine and Russia are the only CFE countries that have both flank and other zonal limits in force on their territory). Several Allies reported that Russia was promoting the concept of small group discussions in Vienna; Allies want to agree on a unified approach before responding.  
End Summary.

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HLTF: Announcement of Russian Suspension  
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13. (C) Allies agreed that the Netherlands, as Depositary, had managed Russia,s July 14 suspension notification effectively and that HLTF Deputies had been extremely efficient in issuing NATO,s statement in response. All Allies agreed suspension is not the same as withdrawal, but if Russia actually suspends in December it will be a very serious situation for the Treaty. Most viewed the current situation as requiring a political rather than legal response. At the same time, several Allies suggested NATO needed to actively explore its legal position and options in the event Russia suspends on 12 December. The UK opined Russia would be in material breach after 12 December. Canada cautioned that acquiescence to the Russian view that suspension is permitted may forego legal rights with negative implications for other Treaties. Several Allies suggested a discussion of legal issues in the context of the next HLTF.

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HLTF: Contacts and Bilaterals - Russia,s Mixed Message  
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14. (C) HLTF Chair (Assistant Secretary General Martin Erdmann) noted he had been approached by the Armenian Ambassador with a warning of the collateral damage which could result from a Russian suspension of CFE, namely a potential arms race with the escalation of tensions in the Caucasus. He also reported on the Russian presentation in the NRC Ambassadorial meeting the previous day, with its call for significant renegotiation of Adapted CFE provisions: Russian authorities appeared to be sending a two-track message on CFE. Russian representatives had reiterated President Putin,s key themes about CFE: Russia was out of patience with the current Treaty, which, they argued, disadvantaged Russia. While Antonov and Buzhinskiy had underscored Russia,s readiness to engage in dialogue, including on Moldova and Georgia as well as CFE, with a view to achieving entry into force of Adapted CFE (though they rejected NATO,s linkage of Istanbul commitments to ratification of Adapted CFE), Russia,s specific proposals had focused on Moscow,s agenda for sweeping changes to the Adapted CFE Treaty once it entered into force. This led several Allies to question Russia,s true intentions (to save CFE: or to pursue an appearance of dialogue) and it colored their response to U.S. ideas on an "action for action" approach (below).

15. (C) Several Allies (UK, Turkey, US directly, and Spain, Italy and France indirectly) noted they had been contacted by Russia with a request to participate in a small group in Vienna to discuss key issues. Allies agreed to return to the issue, and provide a unified reaction. Several observed that the viability of the small group idea depended on the agenda, level, and venue and expressed skepticism that a small group in Vienna could resolve the core political issues in play on CFE/Istanbul commitments, not least because the Russian JCG Ambassador, Ulyanov, did not appear empowered to address them.

16. (C) Turkey reported on discussions with Russia and with

Ukraine. Ambassador Bayer (Director General of International Security Affairs) noted that a planned bilateral meeting with Russia had been postponed to August, but HLTF Rep Gun had received a letter from the Russian Embassy regarding the small group discussions that indicated the U.S., UK, Italy, France and Spain had also been contacted. Gun reminded his Russian counterpart that the flank regime was an integral part of adapted CFE, noting an agreement of understanding signed between Russia and Turkey in Istanbul. Bayer noted that in bilateral discussions with Ukraine on July 19, the Ukrainians indicated the Russians were pressuring them to support Russia's call for elimination of the flank regime and pressuring Belarus to announce suspension of the CFE Treaty. Ukraine and Russia are the only CFE countries with multiple CFE sub zonal limits on their territory.

¶17. (C) Laurendeau shared information, per ref a, on CFE discussions at Kennebunkport and in meetings that followed, between U/S Burns and DFM Kislyak.

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The way Ahead - Agreed NATO Priorities  
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¶18. (C) The main substantive focus of the HLTF and related meetings, as anticipated in ref a, was an extended discussion of what the Allies, game plan should be for achieving key CFE and related policy goals in the period prior to December 12, when Russia's threat to suspend implementation of CFE would become operational. U.S. team engaged Allies and the NATO international staff on the margins (in meetings with Turkey; UK/FR/Ger; Romania; Lithuania; and briefly, Latvia and Canada as well as the I.S.) and in the HLTF plenary in order to forge agreement on basic goals and priorities and explain U.S. thinking on an "action for action" plan where, by agreement, Allies would move forward on ratification of Adapted CFE while, at the same time, Russia took concrete steps to complete remaining Istanbul commitments, with a view to achieving fulfillment of all Istanbul commitments by early 2008, which would provide the basis for ratification of Adapted CFE by all 30 States Parties.

¶19. (C) Overall Priorities. There was general agreement in the HLTF on basic priorities outlined in ref a guidance. Discussion focused on how Allies could:

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- Achieve fulfillment of remaining Istanbul commitments on Georgia and Moldova, which would create the conditions for ratification of the Adapted CFE Treaty by all 30 States Parties;
- Avoid a situation where Russian implementation of the CFE Treaty lapses;
- Maintain the integrity of the CFE regime, including the flank.

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U.S. -- Action for Action  
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¶10. (C) In that context (by prearrangement with the chair) Laurendeau suggested that Allies use the HLTF to brainstorm on possible ways forward that might help break the current deadlock and achieve those goals. She noted that the U.S. would be meeting bilaterally with a Russian team in Washington July 30-31, and that this would include a session on CFE. The U.S. hoped it would be possible to elicit from Allies some initial reactions to ideas we were developing in advance of that meeting. She prefaced her presentation of those ideas with a basic caveat:

- As far as the U.S. was concerned, it was absolutely critical for NATO to maintain a unified position on CFE. Allies had stood together during successful CFE negotiations and in the 8 years since Istanbul. She had no doubt that

Moscow found it remarkable that this solidarity had proven unshakeable. That unity was a core strength that must be maintained.

-- In all Allied interventions that followed, this aspect of U.S. thinking was resoundingly endorsed.

¶11. (C) Laurendeau then outlined the basic threads of the "action-for-action," idea contained in ref a, arguing that Allies needed to consider taking at face value the message we had received from senior Russians in the last weeks, including President Putin. That message was, rightly or wrongly, that Russia believed it had done a great deal to create the conditions that would make entry into force of Adapted CFE possible, including fulfillment of most of the Istanbul commitments in Georgia, and of one of the commitments in Moldova. In the Russian analysis, that effort had not been matched by NATO. Russian authorities had told U.S. interlocutors that their priority was to achieve movement by NATO on ratification of Adapted CFE.

-- Their message suggested that it would be an important signal if even one Ally ratified the Treaty.

¶12. (C) Laurendeau observed that Allies, key goal was to achieve fulfillment of the Istanbul commitments and thus lay the basis for ratification of the Adapted CFE Treaty by all 30 States Parties. Therefore, it seemed worthwhile to consider whether it would be possible to craft an approach where, to break the current impasse, both sides agreed to take steps that would move us toward achievement of both sets of priorities.

-- Would it be possible, she asked, to develop a plan where Allies agreed to move forward on ratification of Adapted CFE, and Russia agreed, in the same timeframe, to complete remaining Istanbul commitments? For such a plan to work, Allies would need to rely on the diversity of their political systems: some Allies might be able to take publicly visible steps toward ratification early on, while the U.S. system, for example, had less flexibility. Allies would need to agree in advance on who would move forward, and at what pace.

-- She noted for such an "action-for-action" approach to succeed, specific timelines and benchmarks would be needed. This was important to make clear that NATO's position of principle remained steadfast - fulfillment of all remaining Istanbul commitments was still critical to create the conditions for Adapted CFE to enter into force.

-- She also noted that in the context of agreement on such an approach, it would be our expectation that Russia would not suspend fulfillment of current CFE obligations.

¶13. (C) Allies immediately recognized the significance of the U.S. idea, and most who spoke welcomed it as a creative and concrete way forward. The "action for action" moniker

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was an immediate hit, although the Germans suggested it might be preferable to describe it as an "orchestrated" approach to ratification. Allies, comments fell into three groups:

-- tentative support on the spot (UK, France, Germany, Turkey, Slovak Republic, Italy, Spain, Norway, The Netherlands, Belgium);

-- no immediate substantive comment (Greece simply said it would carefully report the U.S. ideas to Athens; this was also the approach of a number of allies who remained silent);

-- red flags (Czech Republic, Canada, Romania).

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The supporters - who also have hard questions  
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¶14. (C) Comments by most supporters echoed two basic themes: they agreed with the U.S. that some dynamic step by NATO was needed to attempt to end the current impasse, and that NATO should be seen to be trying to save the CFE Treaty without abandoning support for Georgia and Moldova. Thus they welcomed the action for action idea as an effort to find a way forward that remained true to basic principles, but had the promise of ending the deadlock. This did not/not mean, however, that Allies in this group were blind to the potential challenges of the idea. Indeed, they raised many of the hard questions anticipated in ref a:

-- What would happen if NATO Allies moved forward on Adapted CFE ratification, and Russia failed to fulfill the Istanbul commitments? Wouldn't this create an impossible political situation for NATO? If there was no actual "action for action", NATO would "lose it all", both the moral high ground associated with Istanbul, and the Treaty. (Slovak Republic)

-- How could a plan where some Allies moved forward on ratification quickly, and some did not, be framed in a way to avoid the appearance of disunity? Will we end up with a perception that there are good Allies and bad Allies? (several)

-- Would the Russians sign up to an action for action approach, given their attitude toward linkage of ratification and fulfillment of the Istanbul commitments? (Italy)

-- How could Allies manage the process once the Treaty had been sent to Parliaments? (several) There is a risk of long gestation, with the Russians furious at the delay, for example.

¶15. (C) Germany and France (who together with the UK had been briefed on the margins prior to the plenary) highlighted the U.S. ideas as an important effort to end the current impasse. French HLTF rep Camille Grand suggested that it would be essential to establish redlines in order to frame the "action for action" idea: Grand suggested that one redline was obvious - no ally should deposit instruments of ratification until all Istanbul commitments had been fulfilled. But within that framework, Allies could proceed with national processes.

¶16. (C) Turkey (Bayer also pre-briefed bilaterally by the U.S.) welcomed the U.S. idea as the most concrete proposal advanced, with the most possibilities of any idea yet. For Turkey, Bayer underscored, the CFE Treaty and the flank regime were a key component of security. The Istanbul commitments were a basic point of principle. Turkey did not want to lose either. Bayer said he understood why the U.S. had chosen a brainstorming approach, given the sensitivity of the issues. He suggested that the U.S. engage the Russians to see if there was a possibility to build on the action for action idea, and then provide Allies with a readout and further details, set out in a paper. Norwegian rep Lars Loken echoed similar themes, noting it was a valuable approach that focuses on the heart of the matter.

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The Uneasy Three  
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¶17. (C) Of the three vocal skeptics, Romania was the least close-minded; Czech Republic the most worried; and Canada the most voluble. Only the Czech Rep Kuchynova briefly hinted that it would be better if Allies could think further about

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the U.S. idea before its presentation to the Russians, but he did not press the point, and he did not contradict Turkey's action plan specifically. Common themes emerged:

-- Action for action supposes that Russia actually wants to



retain the CFE regime. Based on Russian comments, including in the NRC, it appears Russia does not want to maintain CFE/Adapted CFE in anything approaching its current form. In the context of repeated Russian statements that it wants to change CFE fundamentally, including by dropping the flank regime, how can Parliaments be expected to ratify the Adapted Treaty? (Romania)

-- Russia says it is willing to engage in dialogue, but its idea of dialogue is to advance unreasonable, maximalist proposals that would undercut the Treaty. In fact, Russia has so far refused to engage on any of the creative ideas NATO has advanced for example, there,s no movement from Moscow on the U.S. idea of a multinational replacement for the current Russian PKF in Moldova. (Romania/Canada)

-- Russia is engaging in a blame game and NATO shouldn,t give in to the Russian proposition that NATO has somehow "not done enough". In fact, Russia could have the Adapted CFE Treaty in force today simply by fulfilling remaining Istanbul commitments. NATO should not panic, but should remain firm in its position and principles, and let Russia make its choice. Russia actually needs CFE more than NATO does, if its stated security concerns are serious. There would be time after December 12 to consider other steps. (Canada)

¶18. (C) Comment: from body language around the table, it was clear that these basic questions about Russian intentions had broad resonance. The difference between skeptics and supporters appears to lie not in their worries about the potential risks of the U.S. idea which mirror questions outlined in ref a but in their assessment of Russia. On the other hand, none of the skeptics wants to lose the CFE Treaty; and these three are not/not among those who harbor any hopes for a successor regime, should CFE fail. End comment.

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U.S. response  
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¶19. (C) Laurendeau expressed appreciation for all the reactions provided, and said they would be treated as such an initial response. She said the U.S. would provide a speedy readout on our exchange with the Russians and would seek to respond to Turkey,s suggestion for a set of ideas on paper that could be thoughtfully considered in capitals. Drawing on ref a talking points, Laurendeau responded to some of the major concerns raised:

-- Context: Laurendeau agreed that Russian fulfillment of all Istanbul commitments would have avoided the current impasse, but the fact was that at present, we faced a deadlock. She did not see a reason to suppose that Russia would fulfill remaining Istanbul commitments in the near term in the absence of a creative diplomatic initiative. Laurendeau observed that waiting until after Russia,s CFE implementation had lapsed in order to move forward struck her as a very risky strategy: it would not be easy to maintain the integrity of the CFE regime once Russia had ceased to implement it, and the diplomatic context would be more difficult.

-- Russia: Laurendeau agreed that Russian proposals calling for major changes to the Adapted CFE regime were unhelpful; it was hard to tell Russia,s real goals from their rhetoric, particularly after listening to comments in the NRC. It was ratification of Adapted CFE not changes to it that had been the focus in senior bilateral exchanges with the U.S. We hoped that reflected Russia,s actual goals, but this would only become clear through engagement.

-- Process/Redlines: Responding to France,s comment, Laurendeau observed that redlines alone would not be enough to guide the ratification elements of action for action. It would be important for Allies to review their national processes and agree together on a plan for going forward. She noted that the U.S. took seriously the concern that

diversity of action could be read as disunity; this would need to be managed publicly, and Allies would need an agreement internally on how/when individual allies would go

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forward. In this respect it would be useful to share information on national ratification procedures.

-- Categories of Allies/Risks: Laurendeau agreed that it would be essential to ensure against any perception that those Allies who moved quickly to ratify Adapted CFE were good, and others something less. This underscored the importance of an agreed plan of action within the Alliance. She agreed that Allies would need to consider how to deal with a situation where Allies had moved forward on Adapted CFE ratification, and Russia had stalled on remaining Istanbul commitments. She noted that her guidance for this meeting specifically highlighted this concern, which we shared. It would be an important question to return to in the context of developing a unified plan.

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Other Issues  
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¶20. (SBU) Seminars: Germany emphasized that the time pressure resulting from the impending suspension requires Alliance initiative through a mixture of informal and formal meetings. Informal meetings could be used to assess where there is room for maneuver; formal meetings, such as the JCG, could be used to formalize any consensus positions. The Germans are proposing an informal seminar (as listed in the Alliance position prior to the Extraordinary Conference) among all 30 States Parties on October 1-2 at a resort outside Berlin to be attended at the Deputy Foreign Minister level with the aim of addressing Russian issues and concerns. (Note: The HLTF ran long and the U.S. Del was not able to provide feedback, as per ref a, on the German food for thought paper that mentions this seminar. A response will be provided separately. End note)

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Meetings on the Margins  
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¶21. (C) Meetings on the Margins. Laurendeau and team held a number of meetings with Allies primarily to preview the U.S. action for action joint approach prior to presenting the concept at the HLTF, but also to discuss other key issues:

-- UK, July 25: UK Rep Tissot expressed general support for the action-for-action idea and urged that the U.S. be as transparent as possible with Allies regarding contacts with Russia. He outlined UK concerns about the German-proposed 1-2 October CFE seminar in Berlin and the 24 October special FSC meeting recently approved in Vienna. Tissot was pleased to hear that the U.S. shared the UK's skepticism about informal seminars at 30 or 30 as a way to move forward with Russia on key CFE issues. Tissot observed that the German paper on its October seminar went beyond the informal meeting previously proposed by Germany; the UK would like to see the agenda focused on a few key CFE-specific issues.

-- Turkey, July 26. At the U.S.-Turkey pre-HLTF meeting Ambassador Bayer emphasized the need for intensive dialogue between Russia, the Alliance, and other States Parties in seeking ratification of a/CFE and fulfillment of the Istanbul commitments. Bayer was unambiguous in making clear that A/CFE without the flank was a non-starter. He emphasized that Allies should not refer to the flank as a Turkey/Norway issue; this was an Alliance issue and the Alliance must be united in defending the interests of its members. Regarding the potential for discussing modifications when and if the Adapted CFE Treaty comes into force, Ambassador Bayer specified the progression must be fulfillment of Istanbul commitments first, followed by ratification and entry into

force of a/CFE, and then, and only then, would it be possible for a State to request a review within the provisions of the Treaty. It would be critical not to give the impression of negotiating a new Treaty.

-- Romania, July 26. Most of the discussion with the Romanian Rep Mikula focused on the U.S. thinking on a possible way forward through the "action for action" plan. Mikula was hesitant about brainstorming but expressed appreciation for the fact that the U.S. had taken its ideas to NATO for a discussion. He suggested that Russia might not be ready to negotiate seriously until after 12 Dec, when the full impact of its suspension had become obvious. Romania does not recommend "rushing" into action without concrete steps by Russia. Laurendeau observed that in the

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absence of diplomatic initiative, there was a real risk that we would close out 2007 with Istanbul commitments unfulfilled and Russian implementation of the CFE Treaty lapsed. This would not help NATO, Moldova, or Georgia. She concurred that Alliance unity remained the top priority. But at the moment, it appeared to her that given differences of view among Allies, keeping the Alliance together would require movement at some level to find a way forward that does not violate the core principles.

122. (C) Quad Meeting (U.S., UK, France, Germany). At the UK-hosted Quad prior to the HLTF, discussion centered on the HLTF agenda topics legal interpretation of the Russian suspension; active engagement of Russians in bilateral discussions; an initial, generally positive, reaction to the U.S. proposal for a way ahead; and a brief run down of the German-proposed Berlin seminar. Tissot distributed a summary of the UK's current legal assessment which indicates that Russian suspension on 12 Dec will constitute a material breach of the CFE Treaty and that it would be advisable for Allies to make this clear. Although all others indicated material breach implications were still under review, there was general consensus that the current situation requires primarily political responses.

123. (C) In looking forward, German Rep Biontino opined that Russia has moved beyond its a/CFE ratification agenda and now has developed a number of additional concerns that must be addressed. French Rep Grand disagreed: Russia does have additional concerns, but the fact they provided a 1 July 2008 timeline for ratification demonstrates a "reasonable" expectation for negotiating a solution, which was unlikely if Russia had a laundry list of additional priorities. Grand suggested that in addition to Istanbul commitments and a/CFE ratification it was necessary to formulate a comprehensive package to address other concerns such as the Baltics (possibly providing written statements about the conditions under which they would join Adapted CFE) and the possibility of CSBMs to address the issue of substantial combat forces. UK Rep Tissot focused on concern about Russian forum shopping a thinly veiled segue into concerns about the German seminar idea. Laurendeau used the session to preview the U.S. action for action plan and her intent to outline these ideas at the HLTF. Germany called the concept an "orchestrated" approach to ratification that included different concrete steps with the same song sheet. Laurendeau said agreed orchestration would be a key to ensuring a unified NATO message. France echoed the importance of Alliance unity and noted that France, as Germany, has procedures in its ratification process such as a legal analysis that could publicly demonstrate movement on ratification. The UK proposed the need to review Quad methodology and coordinate more frequent and lengthier meetings to enable more detailed discussions on the way forward.

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Next HLTF Meeting  
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¶24. (SBU) HLTF Deputies will meet regularly throughout the summer break. Dates for the next HLTF meeting were left open with the IS proposing late September (20 or 27) and some calling for early September (6 or 13). This will be discussed at the HLTF Deputies meeting on 7 August.  
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